

HEADQUARTERS JOINT FORCES NEW ZEALAND  
Office of the Commander Joint Forces New Zealand  
MINUTE

*DG DLS - CDF req legal clearance*

*3130/1*  
*2/5/07* Apr 07

2 CDF

INDIVIDUAL GUIDANCE ON DETENTION OF NON-ISAF PERSONNEL

References:

- A. NZDF 03130/ISP/EF dated 7 Apr 04
- B. NZDF 3304/DLS/INTREL/AFGH dated 2 Mar 07
- C. Detention of Non-ISAF Personnel ISAF SOP 362 as at 23 May 06

Background

1. On 07 Apr 04 CDF promulgated Status Determination Procedures for Detainees (SDPD) to be utilised in the event of NZDF personnel detaining individuals in the course of their duties during OP ARIKI (Ref A). The procedures were issued on the basis that an international armed conflict existed in Afghanistan. As a result of the conflict evolving into a non-international armed conflict and transitioning to ISAF command, CDF directed at Ref B the withdrawal of the NZ specific SDPD policy, and the approval of the ISAF SOP (Ref C) for detainee operations.

2. The approval of the ISAF SOP has necessitated the development of specific NZ procedures for the detention of personnel at the tactical level. Individual guidance for use by NZFOR ISAF personnel has been developed and it is intended to issue this policy to TG KEA and TG CRIB in aide-memoire format. The policy will be read and implemented in conjunction with the ISAF SOP. However, in order to reflect the fact that both TG KEA and TG CRIB remain subject to NZ national ROE or specific ROE caveats, the Individual guidance in some respects differs from the ISAF SOP. The main divergences are at para 2 (authority to detain), and para 9 (non-transfer of detainees). Clear direction will be provided to personnel that in respect of any differences between the policies the provisions of the NZ Individual Guidance are to prevail.

Recommendation

- 3. It is recommended that you:
  - a. **Approve** the issue of the Individual Guidance on the Detention of Non-ISAF Personnel to TG KEA and TG CRIB personnel.

*J.R. Steer*  
J.R. STEER  
RA  
COMJFNZ

APPROVED / NOT APPROVED
<hr style="border: 0; border-top: 1px solid black;"/> CHIEF OF DEFENCE FORCE
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DTelN Phone: **PSR(IC)3**

Enclosure:

- 1. Individual Guidance on the Detention of Non-ISAF Personnel



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